SUPREME COURT OF THE UNITED STATES.

No. 367.

DADE HOOE ET AL., COMPLAINANTS, APPELLANTS,

vs.

JESSE B. WILSON.

APPEAL FROM THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

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1 In the supreme court of the District of Columbia.

I, Return J. Meigs, clerk of the supreme court of the District of Columbia, certify, that originals, of which the following writings are true and complete copies, are on file and of record in the clerk's office of said court; and that said originals together constitute the record of the proceedings of said court in a certain case therein depending and lately decided, entitled,

DADE HOOE *et al.*, complainants, *vs.* JESSE B. WILSON, defendant. } 906, equity docket 8.

In testimony whereof, I have subscribed my name and affixed the seal of said court this 15th day of June, 1868.

[SEAL.] R. J. MEIGS. *Clerk.*

Cost of this record, $8 80, paid by R. J. Brent.

2 *Bill of complaint.—Filed April* 8, '67.

Bill of Complaint.

To the judges of the supreme court of the District of Columbia:

Dade Hooe, Lucy J. Daniel, Mary D. Hooe, Maria S. Anderson, Jane S. Farrow, Susan W. Garlington and her husband, John Garlington, Eliza L. Ballew, Benjamin S. James, bring this their bill against Jesse B. Wilson, a resident of Washington city, for themselves and the other heirs of Ann R. Dermott, deceased.

And thereupon your orators complain and say:

That under and by virtue of a decree of this honorable court, passed on the 3d day of July, 1866, in the case of Zephaniah Jones against Stringfellow et al., No. 502, in equity, (in which your orators were, with others parties, defendants,) the said Jesse B. Wilson became the purchaser, at the sale therein decreed, of certain real estate belonging to the late Ann R. Dermott, and which is bounded as follows: Beginning

3 at the southeast corner of square No. 432, as known and distinguished on the plan of the city of Washington, in said district, and running thence west 47 feet 2 inches; thence north 90 feet; thence west 52 feet and 10 inches; thence north 25 feet 4½ inches; thence east 100 feet to Seventh street west; thence south with the line of Seventh street to the beginning; it being the ground on which is situated the building called and known as the "Avenue House," and the stores thereunder, at the corner of Seventh street and Market Space.

That said purchase was made by said Wilson on the 2d day of January, 1867, from the trustees named in said decree; and at the time of said purchase your orators had duly appealed to the Supreme Court of the United States; from said decree, as was well known to said Wilson; and the said appeal was then pending on the docket of said Supreme Court, and so remains pending and undetermined in said court.

And your orators further show that said Wilson, as such purchaser, hath taken possession of all said real estate, and is receiving the rent and profits thereof to his own use and benefit.

And your orators further show that long prior to such purchase, and prior to July, 1866, the said Wilson was appointed by order

4 of the supreme court of the District of Columbia (passed in the aforesaid cause of Jones vs. Stringfellow et al.) receiver of all the real estate of Ann R. Dermott, deceased, including the real estate purchased by said Wilson as aforesaid, with authority to manage and rent the same, which said appointment the said Wilson accepted, and executed his bond, duly approved, as such receiver, and collected and received large amounts of rents and monies as such receiver; and your orators further show that said Wilson continued to be and was such receiver and manager of said property at the time of his purchase of said real estate, as aforesaid, on the 2d day of January, 1867, and his said appointment and office of receiver still continue in full force, unrevoked.

And your orators further show that by reason of his being appointed such receiver and manager of said real estate, the said Wilson acquired a knowledge of said property and its value, and, holding a fiduciary relation thereto, was wholly incapacitated from purchasing such property, which he purchased at less than its real value; and your orators

5 are advised and charge that the said purchase by said Wilson is void, at the election of your orators, and they do hereby elect to avoid the same and to have said property resold at the risk of said Wilson.

Your orators further show that said Wilson has not paid the purchase-money in great part, but only the cash payment to said trustees, which your orators require him to show was not made out of the trust funds in his hands, leaving still unpaid, as your orators charge and believe, over fifty thousand dollars of said purchase-money, nor has the said Wilson yet received any deed from said trustees; but your honorable court sitting in equity, notwithstanding the pendency of the appeal aforesaid, from their decree and against the objections of your orators, have ordered a distribution of the purchase-money paid and payable by said Wilson, among the creditors, resident and non-resident (in the District of Columbia, and without requiring any security from them,) of said Ann R. Dermott, including the claim of said Zephaniah Jones, which is in dispute on said appeal; and your orators are advised and charge that, by reason of such order and the distribution now being made under it, the

6 said purchase-money will be placed beyond the reach of the appellate jurisdiction of the Supreme Court of the United States in the event of a reversal of said decree.

Your orators are also advised and charge that said Wilson ought to be restrained and strictly enjoined from completing said purchase until the decision of the Supreme Court of the United States shall be known in the matter of the appeal aforesaid, in order to prevent irreparable damage to your orators, in case the said decree of sale should be reversed, and in fact your orators will be deprived of all remedy and redress in the event of such reversal, unless said injunction shall be granted.

And your orators are further advised and charge that they are entitled to a writ of injunction restraining the said Jesse B. Wilson from selling, aliening, or disposing of said real estate to any person or persons whatever, and from accepting a deed from said trustees until after the hearing of this bill of complaint.

And your orators aver that they are, with other persons not named, heirs-at-law of said Ann R. Dermott, and being remidiless by the rules of the common law, humbly pray that the said Jesse B. Wilson

7 may on his corporal oath answer this bill and the allegations therein, and that he may fully account for the rents and profits received by him as such purchaser, and that he may be enjoined and

restrained from making any further payment on account of the purchase money payable by him as purchaser from the trustees appointed by the decree of this court, in the case of Zephaniah Jones vs. Stringfellow et al., and from selling and alienating or otherwise disposing of the real estate so purchased by him from the trustees aforesaid, and from accepting a deed from said trustees, and to the end that such purchase may be avoided, and the said Wilson ordered to reconvey the said property to your orators, or that it may be resold at his risk upon such terms as may be right and proper, and that your orators may have such other and further relief as may be right and proper.

May it please your honorable court to grant the United States writ of injunction as hereinbefore prayed, and also the writ of subpœna commanding the said Wilson to appear and answer this bill.

R. J. BRENT,
For Complainants.

8 *Summons to answer.—Issued Ap'l* 8, 1867.

In the supreme court of the District of Columbia, April 8, 1867.

DADE HOOE *et al.*, compl'ts, *vs.* JESSE B. WILSON, defendant. } No. 906, equity doc. 8.

The President of the United States to Jesse B. Wilson, defendant:

You are hereby commanded to appear in this court at its first special term, occurring twenty days after service of this subpœna, and answer the exigency of the bill, under pain of attachment and such other process of contempt as the court shall award.

Witness D. K. Cartter, chief justice.

R. J. MEIGS, *Clerk.*

MEMORANDUM.—That the defendant is to enter his appearance in this suit in the clerk's office on or before the special term to which this writ is returnable, otherwise the bill may be taken for confessed.

Marshal's return.—Ap'l 20, '67.

"Served copy of subpœna on def't April 8th, 1867.

D. S. GOODING,
U. S. Marshal, D. C.

9 *Answer of deft. Jesse B. Wilson.—Filed Apr.* 27, '67.

Answer of defendant.

The answer of Jesse B. Wilson to the bill of complaint of Dade Hooe and others, against him in chancery exhibited.

This respondent, saving and reserving all manner of exception to said bill for its manifold errors, omissions, &c., nevertheless for answer to the same, says:

He admits that under the decree referred to in said bill, in the cause of Jones vs. Stringfellow et al., he became the purchaser of certain real estate therein mentioned, belonging to the late Ann R. Dermott, and described in said bills.

Respondent knows nothing of the appeal made by the complainants, from the decree under which said sale was made, to the Supreme Court of the United States, except from rumor. He admits that he has heard of said appeal at the time of said sale, but respondent was informed at the same time that said appeal in no wise stayed, superseded, or affected the operation of property thereunder.

He admits that he has taken possession of said property, and is receiving the rents and profits thereon, to his own use and benefit.

And further answering, respondent admits that before said sale, and prior to July, 1866, he was, by an order passed in said cause, ap-
10 pointed receiver of the real estate of Ann R. Dermott, deceased, including the real estate aforesaid, with authority to rent the same; that he accepted and acted under said appointment, and collected rents as such receiver, and continued in said office of receiver until the sale aforesaid; but he denies that his said appointment still continues in full force, the same having expired with the control of said court over the property.

Respondent admits that by reason of his said appointment as receiver he acquired a knowledge of said property and some idea of its value; but if by the averment to that effect in the bill is meant, that respondent acquired any knowledge of the property or its value, not to be obtained by and open to every one else, or any such as gave him an advantage over any other person desiring to purchase the same, he wholly denies said averment.

And respondent wholly denies that he was in any manner incapacitated, by reason of his said appointment, from becoming a purchaser of said property.

He is advised that his so-called fiduciary relation extended only to the rents and income of the property, and not to the corpus or fee sim-
11 ple title thereof, as to which he was a stranger and is as entirely free to buy as any one else, and he wholly denies that he purchased the same at less than its real value.

And further answering, respondent shows that the cash payment made by him on his said purchase as stated in the bill was not made out of the trust funds in his hands; and that he has fully settled with the trustees for the whole amount of his purchase-money, and received a deed from them for the property.

Respondent cannot admit that complainants are heirs-at-law of said Ann R. Dermott, but require proof of the same.

And respondent is advised that the complainants have not stated in their said bill such a case as entitles them to the relief prayed by them, and he prays to have the same benefit of this objection to said bill for want of equity as if the same were formally set forth by way of demurrer, without this, &c.

And he prays to be hence dismissed with his reasonable costs, &c.

J. B. WILSON.

DAVIDGE & COX, *Attorneys.*

12 DISTRICT OF COLUMBIA, *County of Washington, set:*

On the 26th day of April, A. D. 1867, personally appears Jesse B. Wilson, and make oath on the Holy Evangelist, that the matters stated in the aforegoing answer, as of his own knowledge, are true, and those stated on information and belief he believes to be true.

J. W. BARNACLO, *J. P.* [SEAL.]

Replication.—Filed May 10, 1867.

DADE HOOE *et al.* }
vs. } In equity.—No. 906.
JESSE B. WILSON. }

These repliants aver and are ready to maintain and prove the truth and sufficiency of their bill, and so far as the answer contradicts the bill deny its truth as well as its sufficiency to bar their suit.

ROBERT J. BRENT,
For Complainants.

Petition of def't asking absent compl'ts to give security.—Filed July 18, '67.

HOOE & *al.* }
v. } No. 906.—Equity.
WILSON. }

13 The defendant shows that the complainants are non-residents of this district & prays that they may be ruled to give security for costs.

DAVIDGE, *for Def't.*

Service ack'd.

SAM'L L. PHILLIPS.

JULY 18, '67.

Ordered that the foregoing petition be heard to-morrow, 19th July, '67, at 1

Agreement appointing M. Ashford, Ex'r.—Filed July 18, '67.

In the supreme court of the D. C.

DADE HOOE *et al.* }
vs. } In equity.
JESSE B. WILSON. }

It is agreed this 18th of July, 1867, that M. Ashford, esq., be appointed special examiner in the above case, to take the testimony of Miss C. F. Thompson, residing in Fairfax co., Va.

This agreement to be null unless security for costs in the above case be entered on or before Monday, July 22, 1867.

BRENT & PHILLIPS, *for Compl'ts.*
W. D. DAVIDGE, *for Def't.*

14 *Order of J. H. Ingle to enter him as security for costs.—Filed July* 19, '67

DADE HOOE *et al.* }
vs. } No. 906.—In equity.
JESSE B. WILSON. }

Mr. MEIGS: Enter me as security for costs in the above case.

JNO. H. INGLE.

JULY 18, 1867.

Petition of compl'ts to extend time for taking testimony.—Filed Aug. 13, '67.

DADE HOOE *et al.* }
vs. } In equity.
JESSE B. WILSON. }

To the hon. the supreme court of the District of Columbia, in equity:

The petition of the above complainants respectfully showeth, that being non-residents and scattered through several States, they have found difficulty in obtaining testimony as to their pedigree, which is involved; that they have taken all the testimony before Mr. Ashford, one of the commissioners of this hon. court that it was in their power to take by due diligence; that three months have elapsed since the filing of the replication in the above case, and they are unable to take more testimony under the 69th rule of this court, without an order of this hon-
15 orable court enlarging the time. Wherefore your petitioners pray an order enlarging the time of taking testimony until first of October next. And as in duty, &c.

R. J. BRENT, *for Petitioners.*

Order extending time for taking testimony.

Ordered this 13 Aug., 1867, that the time for taking testimony in the above-entitled cause be extended until the 3d day of Sept. next.

D. K. CARTTER, *Ch'f Justice.*

Testimony of Miss Thompson.—Filed Sep. 4, '67.

In the supreme court of the District of Columbia.

DADE HOOE *et al.* }
vs. } 906.—In chancery.
JESSE B. WILSON. }

Deposition of Miss Thompson.

DISTRICT OF COLUMBIA, *County of Washington, ss:*

Be it remembered, that on this 31st day of July, in the year of our Lord one thousand eight hundred and sixty-seven, I, Mahlon Ashford, an examiner in chancery, did cause to be personally present at Alex-
16 andria, in the State of Virginia, pursuant to the agreement filed in this cause, Catherine F. Thompson, to testify on the part and behalf of the complainants in a certain cause now depending in the supreme court of the District of Columbia, wherein Dade Hooe & others are complainants, and Jesse B. Wilson et al. are defendants.

Deposition of Catheine F. Thompson for compl'ts.

And the said , being about the age of 72 years, and being by me first duly sworn to testify the truth, the whole truth, and nothing but the truth touching the matter at issue in said cause, I did carefully examine said , and did thereupon depose and testify as follows:

In answer to questions put to her by complainants' solicitors:

I reside in the city of Alexandria; I knew Miss Ann R. Dermott, late of the city of Washington; I knew her from my childhood until the date of her death; her maternal grandmother and my maternal grandmother were sisters.

The next of kin of Mrs. Ann R. Dermott are Mr. Dade Hooe,
17 his sister Mrs. Daniels or Mrs. Daniels, another sister of Dade Hooe, named Mary Hooe, (she having married her cousin named Hooe.) These persons are all children of Nancy James, who was sister to Mrs. Ann Dermott's mother, and she married a Hooe.

The children of Benjamin James that I remember were Mariah, Jane, Louisa, and Stover. Said Benjamin James and Alice James, the mother of Ann R. Dermott, and Nancy James, afterwards Mrs. Hooe, were brothers and sisters. They were the only children of John James, (grandfather of Miss Ann R. Dermott,) who had families.

I have understood that Dade Hooe resides in Stafford county, Virginia, and her sister Mary Hooe, I have understood, resides in Prince William county, Virginia. Benjamin James, I have always understood, removed with his family to South Carolina, many years ago, from Virginia.

Ann R. Dermott's mother was married twice. By her first husband, Mr. Dermott, she had three children, and two of them died unmarried and without issue before the death of Ann R. Dermott. By her second husband she had only one child, who died unmarried without issue.

18 I have derived my knowledge of the matters to which I have testified from conversations and declarations of my mother, and I derived the same from declarations of Miss Dermott, as well as from other members of the family. My mother died in the year 1824. I am the same Miss Thompson mentioned in the last will and testament of Ann R. Dermott, as an annuitant.

C. F. THOMPSON.

Sworn to and subscribed before me this 31st day of July, 1867.

M. ASHFORD.

DISTRICT OF COLUMBIA, *County of Washington, ss:*

I, Mahlon Ashford, examiner in chancery, do hereby certify, that in pursuance of the agreement of parties filed in this cause the foregoing deposition was taken down and by me reduced to writing, in the presence of, and from the statement of, the witness at the time and place designated in the caption thereof, and was then and there by me read over to the witness, and by her subscribed in my presence, the witness having been by me first duly sworn to testify the truth, the whole truth, and nothing but the truth touching the matters at issue in said cause.

19 I further certify, that I am not of counsel for any of the parties to said cause, or in any manner interested therein.

M. ASHFORD, *Examiner.*

In the supreme court of the District of Columbia.

DADE HOOE *et al.*
vs.
JESSE B. WILSON *et al.* } 906.—Equity dock. 8.

Complainants' depositions.

DISTRICT OF COLUMBIA, *County of Washington, ss:*

Be it remembered, that on this 11th day of July, in the year of our Lord one thousand eight hundred and sixty-seven, I, Mahlon Ashford, an examiner in chancery, was personally present at my office, No. 2, Columbia College Law Building, in the city of Washington, in said district, pursuant to the annexed notice, to take testimony on the part and

behalf of the complainants in a certain cause now depending in the supreme court of the District of Columbia, wherein Dade Hooe and others are complainants, and Jesse B. Wilson & others are defend-
20 ants, when, owing to the absence of witnesses, the examination was adjourned until the 16th day of July, 1867, at 11 o'clock, of which the parties by their solicitors had notice.

M. ASHFORD, *Examiner.*

1867, July 16th.—Met pursuant to adjournment when complainants, by their solicitor, R. J. Brent, esquire, produced as a witness one James F. Farrow.

Deposition of James Farrow for complainants.

And the said James Farrow, being about the age of 40 years, and being by me first duly [duly] sworn to testify the truth, the whole truth, and nothing but the truth touching the matter at issue in said cause, I did carefully examine said James Farrow, and he did thereupon depose, testify, and say as follows:

Question 1. State your knowledge of the late Miss Ann R. Dermott.

Answer. I knew her personally, but slightly; never saw her but once.

Question 2. State what relationship, if any, existed between you
21 and the late Ann R. Dermott.

Answer. I have always understood that Miss Ann R. Dermott was a first cousin of my mother. I was inquired of by Miss Dermott about my mother as a cousin—and about my mother's brothers and sisters as cousins also.

Question 3. State where you reside and your age?

Answer. I reside at Spartanburg court-house, South Carolina, and am in my forty-first year.

Question 4. State what knowledge you may have touching the nearest relatives and next of kin of the late Ann R. Dermott, and where each of them reside and how and from whom and when you derived that knowledge.

Answer. My information has been and is that the next of kin of the late Miss Dermott are first, Dade Hooe, Mary D. Hooe, & Lucinda J. Daniel, formerly Hooe, of Virginia, who were the children of Mary Hooe, formerly Mary James, who (the latter) was the sister of Alice Dermott, formerly Alice James, & mother of Miss Ann R. Dermott; and secondly, the children of Benjamin James, deceased, to wit: Maria S. Anderson, Jane S. Farrow, Susan W. Garlington, Eliza L. Ballew, Robert B. James, & the representatives of a deceased brother of these,
22 viz: John Stob James, which said representatives are Benjamin L. James, Helen Crosson, formerly James, wife of James M. Crosson, and two younger children, whose full names are not remembered, but in whose names occur, in the one, "O'Neall," & in the other, Jane. My information has been that the next of kin of Miss Dermott were the Hooe family & the James family as above described, & further, that Alice Dermott, Mary Hooe, & Benjamin James aforesaid, were the children of the same parents, were children of John James, who, though he had several other children than the three aforesaid, had no name other than the three aforesaid, who ever left any lawful issue or married.

I should state than John Stob James, deceased, aforesaid, departed this life, as deponent believes, several years prior to the death of Miss Dermott. Deponent was personally well acquainted with said John Stob James and his family, and is quite sure he had departed this life prior to the year A. D. 1856.

The information I have of the relatives and next of kin is what I have received at sundry times from my mother, Jane S. Farrow, aforesaid, and others of my aunts, & others of the family connexion—but what particular portion from different ones I cannot now say.

Dade Hooe's residence is in Stafford co., near Stafford C. H.,
23 Va.; Mary D. Hooe's residence is near the Manassas Junction, on Orange and Alexandria R. R.—that being her P. O. address. Mrs. Lucinda J. Daniel was, till recently, living in same neighborhood, but now lives, I think, somewhere in Fairfax co.

Maria S. Anderson lived till recently in Laurens dist., So. Ca., now recently removed to Florida. P. O. not known. Mrs. Susan W. Garlington & Eliza L. Ballew & Jane S. Farrow all reside at Laurens C. H., S. C. Robert B. James resides in Alabama; his P. O. is Montgomery, Ala. The children of John Stobs James, deceased, are scattered; one, Benj. S. James, lives at Martin's depot, Laurens dist., S. C. Helen Crosson & husband, at Livingston, Polk co., Texas, and the two others aforesaid somewhere in Alabama. P. O. address not known.

Deponent is the son of Mrs. Jane S. Farrow & grandson of Benjamin James, dec'd, formerly of Stafford co., Va., & reputed to be brother of late Miss Dermott's mother, & also of the mother of Dade Hooe & his sisters aforesaid. The statements by deponent as to the family relationship & connexion between James's children is based upon the traditions received in frequent personal intercourse with each one of the parties named as reputed children of Benjamin James, dec'd.

24 Deponent refers to the following persons as acquainted with the heirship of Miss Dermott, viz: Judge Richard, C. L. Moncure, sr., Walker P. Conway, John Moncure, sr., who all reside at or near Fredricksburg, Va.

Question 5. State any other matter material at the hearing of this cause, & which may be known to you.

Answer. I know nothing further in connexion with the foregoing interrogatories or the pending case.

JAS. FARROW.

Sworn to and subscribed before me this 16th day of July, 1867.

M. ASHFORD,
Examiner in Chancery.

Adjourned until Tuesday, the 20th Aug., 1867, at 10 o'clock in the forenoon.

M. ASHFORD, *Examiner.*

1867, August 20th.—Met pursuant to adjournment. Present, Messrs. Brent & Cox. And thereupon Mr. Brent proposed to prove by W. B. Moses, that said Moses was tenant to Jesse B. Wilson, of the
25 premises known as the Avenue House, and was paying to said Wilson as rent for said premises the sum of nine hundred dollars per month. Whereupon Mr. Cox, on behalf of defendants, admitted that said Moses was and is tenant to said Wilson of the whole of said premises known as the Avenue House, and that he was paying as rent therefor the sum of nine hundred dollars per month, and desired that the same admission should be noted.

M. ASHFORD, *Examiner.*

Adjourned until Thursday, the 22d day of August, 1867, at 11 o'clock.

M. ASHFORD, *Examiner.*

And then on the said twentieth day of August, A. D. 1867, pursuant to adjournment, came R. J. Brent, esquire, solicitor for complainants, & filed with the aforesaid deposition the printed paper hereunto annexed and marked M. A. No. 1, and the paper writing thereto attached, and desired that the testimony in behalf of complainant should be closed, which is done.

M. ASHFORD,
Examiner in Chancery.

26 *Order setting cause for hearing Feb'y* 4, 1868.

HOOE *vs.* WILSON. } 906.—Eq. doc. 8.

On motion of Brent & Phillips, this cause is this 4th of Feb'y, 1868, set down for hearing.

BY THE CLERK.

Order certifying cause to gen'l term.—Filed May 8, '68.

DADE HOOE *et al.* *vs.* JESSE B. WILSON. } 906.—In equity.

Ordered this first day of May, 1868, that this case be certified to the court in general term to be heard by it in the first instance.

A. B. OLIN, *Justice.*

Decree in gen. term.—Filed June 3, '68.

Decree in general term.

DADE HOOE *et al.* *vs.* JESSE B. WILSON. } 906.—Eq. doc. 8.

This cause having been heard upon the record of the equity court and been argued by counsel, to wit, Messrs. Brent & Phillips, for complainants, and Messrs. Cox & Davidge, for defendants, it is upon consideration thereof ordered, adjudged, and decreed, that bill, &c.; and
27 the same is hereby dismissed with costs.

And from this decree the complainants, by their solicitor, Mr. Phillips, pray an appeal to the Supreme Court of the United States.

Appeal bond to Sup. Ct. U. S.—Filed Jan. 15, '68.

Appeal bond.

Know all men by these presents, that we, Dade Hooe, Lucy J. Daniel, Mary D. Hooe, Maria S. Anderson, Jane S. Farrow, John Garlington, and Susan W., his wife, Eliza L. Ballew, Benjamin S. James, John H. Ingle, & Robert J. Brent, are held and firmly bound to Jesse B. Wilson in the full and just sum of two hundred and fifty dollars, current money of the United States, for the payment of which, well and truly to be made to the said Jesse B. Wilson, his executors, administrators, and assigns, we do hereby bind ourselves, our heirs, executors, and administrators, firmly by these presents.

In witness whereof, we have hereto set our hands and seals, at the

city of Washington, the 11th day of June, in the year one thousand eight hundred sixty-eight.

The condition of the above bond is such, that whereas the above-bound Dade Hooe, Lucy J. Daniel, Mary D. Hooe, Maria S. Anderson, Jane S. Farrow, John Garlington and Susan, his wife, Eliza L.
28 Ballew, Benjamin S. James, have appealed to the Supreme Court of the United States from a decree of the supreme court of the District of Columbia, sitting in equity, in the suit wherein said Dade Hooe, Lucy J, Daniel, Mary D. Hooe, Maria S. Anderson, Jane S. Farrow, John Garlington and Susan W., his wife, Eliza L. Ballew, Benjamin S. James, were complainants, and said Jesse B. Wilson was defendant.

Now, if the said Dade Hooe, Lucy J. Daniel, Mary D. Hooe, Maria S. Anderson, Jane S. Farrow, John Garlington and Susan W., his wife, Eliza L. Ballew, Benjamin S. James, shall well and truly prosecute their said appeal, and shall pay all such costs as shall be awarded against them, then these presents to be utterly null and void, otherwise to be and remain in full force and virtue.

	[SEAL.]
	[SEAL.]
ROBERT H. BRENT.	[SEAL.]
JNO. H. INGLE.	[SEAL.]
	[SEAL.]
	[SEAL.]

Signed, sealed, and delivered in presence of—
JOHN A. CLARKE.

Approved this 15th June, 1868.

A. B. OLIN, *Justice.*

SUPREME COURT OF THE UNITED STATES.

No. 156.

DADE HOGE ET AL., APPELLANTS,

vs.

JESSE B. WILSON.

ADDITION TO RECORD.

FILED MARCH 24, 1870.